Niveau(x) d'enseignement: 4 Numéro EDUQ : 8870819
Centre d'intérêt: 260

Individual paths for learning students aged 16-18 : rights and responsibilities / Direction générale des programmes, Direction de l'adaptation scolaire et des services complémentaires. -- [Québec] : Ministère de l'éducation, c1988.
55 p. : ill. ; 28 cm.

Le couv. porte en outre: Québec schools, meeting individual needs.
Code: 16-1541-04A ; 8889-552.

ISBN 2-550-14501-1

Vedette(s)-secondaire(s): Québec (Province) Direction de l'adaptation scolaire et des services complémentaires

---

Descripteur(s): Droits et responsabilités * Apprentissage individualisé * Adaptation scolaire * Activité d'apprentissage * Guide pédagogique * Secondaire (Ordre d'enseignement)

Le Direction des services éducatifs aux anglophones et la Direction de l'adaptation scolaire et des services complémentaires proposent un guide pédagogique pour les élèves âgés de 16 à 18 ans qui sont en adaptation scolaire. Le but du guide est d'initier l'élève à ses droits et responsabilités. Le guide comprend cinq parties. Pour chaque partie, on indique les objectifs spécifiques à atteindre et l'on fournit de l'information pour les enseignants et les élèves. Les cinq parties du guide sont: 1. past, present, future; 2. alone at last; 3. the classroom charter; 4. message in a bottle; 5. life at the bottom.

Type de document: d
Notice(s) connexe(s): 8870817, 8870818, 8870820, 8870821

EDUQ
8870819

QUÉBEC SCHOOLS

Meeting Individual Needs

INDIVIDUAL PATHS FOR LEARNING STUDENTS AGED 16-18

RIGHTS AND RESPONSIBILITIES

Québec

EDUQ
8870319

INDIVIDUAL PATHS FOR LEARNING STUDENTS AGED 16-18

RIGHTS AND RESPONSIBILITIES

Direction générale des programmes
Direction de l'adaptation scolaire et des services complémentaires

© Gouvernement du Québec
Ministère de l'Éducation, 1988

ISBN: 2-550-14501-1

Legal Deposit — Third Quarter 1988
Bibliothèque nationale du Québec

Author: Deborah Gross, Educational Development Officer

Coordinator: Alain Bénitah, Direction des services éducatifs aux anglophones

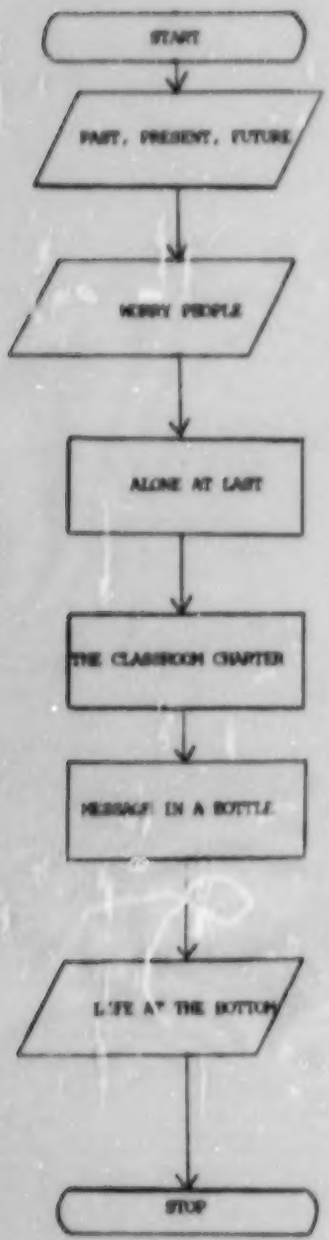
Contributors:

Heather Mizener	South Shore Protestant Regional School Board
Irene Anthony	Protestant School Board of Greater Montreal
Rafic Dagher	Montreal Catholic School Commission
Paulette Losier	The Eastern Townships Regional School Board

The Direction des services éducatifs aux anglophones (DSEA) and the Direction de l'adaptation scolaire et des services complémentaires wish to thank all these individuals for their assistance in the preparation of this guide; their comments and recommendations have been greatly appreciated.

Members of the provincial sub-committee on Individualized Paths for Learning for students aged 16 to 18, were also consulted occasionally.

The DSEA is indebted to all the people who read and analysed this work as it developed, and made valuable suggestions on form and content.


START
PAST, PRESENT, FUTURE
. Preliminary Activity
. Evaluate
. Identify
HOBBY PEOPLE
. Preliminary Activity
. Explore
. Compose
ALONE AT LAST
. Read
. Compose
. Present
THE CLASSROOM CHAPTER
. Identify
. Compose
MESSAGE IN A BOTTLE
. Read
. Identify
. Compose
. Evaluate
LIFE AT THE BOTTOM
. Brainstorm
. Read
. Respond
. Compose
STOP

PAST, PRESENT, FUTURE

Intermediate Objectives

The student will, based on individual experience, define the words "rights" and "responsibilities" and explore their connection.

The student will explore the connections between age and individual rights and responsibilities.

The student will explore and identify some of the major difficulties associated with adolescence.

The student will compose a letter to a younger person evaluating life as a 16 year old, focussing on the aspect of rights and reponsibilties.

PAST, PRESENT, FUTURE

Part I - Teacher Information

Students sometimes forget that with rights and freedoms comes responsibility. The preliminary activities are designed to reveal to students that as they get older, there are more freedoms, more things that they are allowed to do, but also more things that they must do, more responsibility. The questions that follow can be done in small groups, with a recorder presenting the findings to the class, or as a large class group. Discussion should lead to the fact that rights and responsibilities go hand in hand, but which comes first? Does one earn rights by being responsible or is responsibility the price of more freedom?

1. List three things that they are <u>allowed</u> to do now, but couldn't do five years ago.

2. List three things that they <u>hope</u> to be able to do in five years that they cannot do now.

3. List three things that they <u>must</u> do now that they didn't have to do five years ago.

4. List three things that they will <u>have to do</u> in five years that they don't have to do now.

When students have composed their initial ideas, discuss the answers to the questions as a class, compiling a list of ideas and opinions on the board. These could be set up in two columns: present and future.

In smaller groups or still as a class ask students:

- for the definition of a RIGHT
  (do not use a dictionary)

- for the definition of a RESPONSIBILITY
  (do not use a dictionary)

In the questions that the students answered above:

- Which are the rights?

- Which are the responsibilities?

- How do rights and responsibilities fit together?

- How does one obtain rights?

N.B. The "Talking Means..." ELA guide offers evaluation checklists for discussion and talk, or see Appendix I.

Part II - Teacher Information

This activity focusses on the emotional aspect of more responsibility and is placed here for interest, curiosity and whimsy. The "Guatemalan Worry People" really do exist as described! (see next page)

The final activity in this section is a letter to a ten year old preparing him for life at 16. To provide a real audience the letters could be sent to a class, perhaps in grades 5 or 6, perhaps in another school, replies written and returned. Your students might want to use pseudonyms!

Part II - Student Information

This is a "Guatemalan Worry Person". There is a local belief in Guatemala that, if you put him under your pillow at night (with some of his friends if necessary), he will take on your worries and they will leave you. Usually each worry requires one Worry Person.

This person lives in a small colourfully decorated box with five of his friends, both male and female. This drawing shows his actual size. He is made of pipecleaners and wears brightly coloured clothes made of bits of material. Each Worry Person looks different. They have different hair, different expressions and different clothes.

1. Imagine that you had a box of Guatemalan Worry People to help you out. List some of your biggest worries. Do any of them have to do with growing up and older? Why? Try to explain your reasons for worrying.

2. Think of someone you know who could use a "Guatemalan Worry Person". Design one to give to this someone you know. You could draw a GWP or do one in 3D. Be sure to include instructions for use.

3. Does worrying help to solve a problem? List some things that could be done instead of worrying. Tell them to your best friend.

4. Do you feel that you would have fewer worries if you were younger? or older? Why?

   Write a letter to a 9 year old preparing him for life at 16. Let him know about some of the privileges that he can look forward to but don't forget to tell him about the responsibilities that accompany those newly acquired rights.

ALONE AT LAST

Intermediate Objectives

The student will read and respond to a piece of writing dealing with the abuse of a right.

The student will compose and present a monologue based on the winning and losing of a right, to an audience of his/her classmates.

ALONE AT LAST

Teacher Information

Present the following situation dealing with the abuse of a right. Students may read it individually or follow along as the teacher reads aloud.

Situation

Steve is 16 years old. His brother Ian is ten. Their parents go on vacation every year. Usually an eccentric old aunt comes to the house to look after Steve and Ian, but this year Steve had decided that he and Ian are perfectly capable of staying alone.

Steve starts to work on his parents. He begs, pleads, cajoles, insists, and finally they break down. Steve and Ian can stay alone. Their parents leave, knowing there are at least 50 meals in the freezer and the phone number of their hotel is posted in every room of the house!

Steve has a friend named Billy. Billy has a driver's license, but no car. Steve has a learner's permit and his parents' car just waiting in the garage. Steve has never driven the car before without his dad's permission and one of his parents with him.

Billy works on Steve the way Steve worked on his parents. He begs, pleads, cajoles, insists and finally Steve breaks down. He and Billy take the car for a ride. The next thing they know, they are side-swiped in a hit-and-run, nothing too serious, but there is definitely parent trouble ahead! Needless to say, Steve feels terrible and wishes he could just turn back the clock.

The following are ideas for class discussion:

- What was the right that Steve had earned?
- What was the responsibility that was supposed to go with it?
- What will happen, at least temporarily, to that right?
- What could you suggest to Steve that he do to restore his good name?

Ask students for a definition of a monologue. A monologue, among other things, can be an internal conversation, a train of thought. It often involves some kind of questioning or decision making. The cartoon analogy of the angel sitting on one shoulder leading someone towards good and the devil sitting on the other shoulder, leading one towards evil portrays it well.

Monologues should demonstrate that the student is, at least, attempting to grapple with the concepts of right and wrong.

Have students write the monologue or train of thought that goes through Steve's head as he is about to face his parents on their return. Steve is going to dream up two excuses as to why nothing is his fault and then decide to accept responsibility for his actions. The monologue becomes a "should I, shouldn't I?" situation, questioning the consequences and/or rewards of telling the truth and accepting responsibility or remaining a child and placing the blame elsewhere.

Remind students that this is a monologue, not a conversation. Therefore we only know what is happening through Steve's thoughts. For example, if Steve's mother starts to cry, we can only know because he thinks, "Oh no Mom, not tears. Please!"

Students should be following their writing process in the development of this monologue. They may compose alone or with a writing partner and share feedback before their final draft.

A technique to help make students more aware of punctuation is to not allow them to use it. Do we punctuate our thoughts? Perhaps a monologue should not be punctuated at all. If students create their original monologue without any punctuation, this can be used as a punctuation exercise later on.

THE CLASSROOM CHARTER

Intermediate Objectives

The student will identify and evaluate problems associated with his/her school and attempt to offer viable solutions.

The student will create a Charter of Rights suitable for his peers.

THE CLASSROOM CHARTER

Part I - Teacher Information

This exercise is moving towards the examination of the Quebec Charter of human rights and freedoms. The students are moving through individual rights and responsibilities to those of society.

The Merrian Webster Dictionary defines a charter as:
an official document granting rights or privileges from
a sovereign (king or queen) or a governing body.

Any historical information that could be injected here might prove to be useful, for example the Suffragette movement or the Civil Rights movement.

Students should work in groups of 3-5.

Part I - Student Information

Imagine that the principal of your school has called a meeting of all students 15 years and older. It is an OPEN FORUM and he/she wants to know any complaints that you may have about the school. This is an important event, it has never happened before and you want to make sure to voice legitimate, grown-up complaints, problems that can be solved. Complaints like "School is boring!" may be true, but can the principal fix it? However, if the complaint is "We never have time for showers after Phys Ed and if we do, there are never clean towels", then measures can be taken to improve conditions. In any situation like this, it is always better not to mention names or blame individual teachers, etc. It just makes people hostile.

Topics you could touch on could be smoking, skipping, the dress code, showers and towels, school food, behavior of students and staff or anything else that you think is important.

In your group, list your complaints. Then offer solutions to those complaints. Perhaps a complaint without a solution will just have to be lived with. You may want to use the form provided on page 17.

Report your complaints and their solutions to the class.

Results of the Open Forum

Complaints	Solutions

Complaints without solutions:

Suggestions for dealing with the above:

Part II - Teacher Information

At this point it may be easier to break the groups up into smaller units, pairs or triads.

The idea of a Charter of Rights is important and must be introduced. Students need to know that it is more than just a list of rules to be followed. Students should be encouraged to look at more global freedoms.

After students have completed their charters they can be posted and examined. It may be possible to synthesize them into one Charter for the classroom to be printed and posted. The feasibility of each item might be discussed as a class.

This exercise might be useful, in isolation, at the start of the school year to establish expectations in the classroom, etc. When the module is eventually taught in its chronological order, perhaps an update would be valid.

Part II - Student Information

Using ideas from the previous activity, with a partner draw up a Charter of Rights and Freedoms for your school or your class. There should be a minimum of five rights that a student must have.

An example: Every student has the right to be protected from violence, either verbal or physical.

This right means that if someone is pushing or shoving in the hallways, you have the right to have that person removed. Similarly, no one should be calling you names or abusing you verbally.

Decide how these rights will be enforced. Who will enforce them? What will the punishment be for the abuse of a right? Discuss this with the class.

MESSAGE IN A BOTTLE

Intermediate Objectives

The student will examine various readings on the topic of drinking and driving and discuss the issues with his peers.

The student will devise and evaluate parent-teenager guidelines to deal with the issue of driving drunk.

The student will respond to figurative language in the form of onomatopoeia.

The student will explore a moral dilemma and evaluate personal issues, based on previous readings.

MESSAGE IN A BOTTLE

Part I - Teacher Information

In the previous activity, school was a mini-society. Now students are moving out of that sphere and into the larger world.

Every year at graduation time there are tragic stories in the newspapers about celebrations that end in devastation and despair. Statistics prove that teenagers are more involved in alcohol related accidents than any other age group. The law in Quebec states that at age 18, one can legally drink. At 16 one can legally drive. Trying to put a stop to the combination of the two is a social responsibility, one that should accompany the right to either drink or to drive.

The larger part of this module is readings from various sources with discussion questions aimed at forcing students to look at both sides of a situation, to question morals and responsibilities. The final work is a moral dilemma of sorts designed to point out the fact that moral issues and social responsibilities are not always as clear as black and white.

The Québec Charter of human rights and freedoms states:

> "Whereas the rights and freedoms of the human person are inseparable from the rights and freedoms of others and from the common well-being."[1]

Students will be able to refer to information and statistics from their initial reading. Perhaps in their school charter, students have touched on these more universal themes.

The questions for discussion can be done in small groups with a recorder who reports back to the class or as a larger class group.

Students should be aware of the existence of SADD (Students Against Driving Drunk).

---

1 The Québec Charter of human rights and freedoms, Gouvernement du Québec, Commission des droits de la personne du Québec.

Part I - Student Information

"If you drink, that's your business. If you drive that's your business too. But if you drink and drive, that's our business.

There are no statistics to show how much alcohol affects our sense of social responsibility. Only medical facts. The simple truth is drivers who have had too much to drink simply don't care. About themselves. About other drivers. And that means real trouble - for everyone."[2]

Did you know that .....

- Six out of 10 people who kill themselves in single vehicle accidents are drunk. (Students Against Driving Drunk)
- Of 60 children born today, one will die and 3 will be gravely injured in car accidents related to alcohol. This will happen before their 20th birthdays. (SADD)
- If you are out on a Friday or Saturday evening, one out of 10 cars around you is driven by a drunk driver. (SADD)
- People arrested for drunk driving admit to having done it at least 15 times before (SADD)
- Ninety percent arrested for drunk driving are men. (SADD)
- Forty-four percent of all night time fatal alcohol related crashes are caused by the 16-24 age group. (SADD)

Suggested Questions for discussion

1. In the opening comment, who is the our?
2. What is your definition of an adult?
3. When is one legally an adult? What privileges come with this adulthood? What responsibilities go with these privileges?
4. How do you know when someone is responsible enough to drive? responsible enough to drink?
5. Any other general comments on drinking and driving or the legal ages of either?

I Drinking Driving Counter Attack, Province of British Columbia, Ministry of Attorney General.

Part II - Teacher Information

The following are (fictional) quotes that illustrate differing parental views on kids and alcohol And how to deal with the combination.

Have students read the quotes aloud, examining three or four in detail. Discuss the questions that follow.

"I know that most often good kids die from bad judgement."

"How can I insist that my son not drink when his friend's dad offers him at a beer at his house?"

"I think that my kids will just get angry if I smell their breath when they come home or search their room when they're not. If I'm too authoritarian, my kids will just rebel!"

"If I am understanding with my children, they will reward me by being responsible."

"Look, everything is relative. So, my son drinks. At least he's not a heroin addict."

"I share a beer with my son once in a while. That way he doesn't have to lie and cheat to drink."

"If my child dies in an alcohol related incident, it's my loss. I'm the one who will be devastated. Therefore I am the one who must be responsible, not the school, not his friends, but me. I have to protect my child."

"I wish I knew what my daughter wanted. Does she want me to tell her what to do, insist that she doesn't drink and check up on her or does she want to show that she is grown up and responsible?"

"Being able to communicate is very important to me. I know my children are under a lot of pressure from friends to drink. I would rather they drank and called home for a lift than drank and didn't call home. They may be drunk, but they're alive."

Questions for discussion:

1. What are the problems that parents seem to face?
2. How do (your) students react to this?
3. Either as a class or in small groups have students devise guidelines for parents to give to their teenagers with regard to alcohol and the following:

   . curfew
   . driving
   . house parties
   . punishments
   . other

Remember that these guidelines are not punitive, they are preventive. They are meant to help save lives. Therefore, the guidelines should be reasonable and enforceable. Must both sides agree on everything?

Hand out SADD's Contract for Life on page 28. Would students and their parents be prepared to sign it?

Can students suggest any changes? Could they revise the contract to incoporate these changes?

CONTRACT FOR LIFE

A Contract for Life Between Parent and Teenager

The SADD Drinking-Driver Contract

Teenager I agree to call you for advice and/or transportation at any hour, from any place, if I am ever in a situation where I have been drinking or a friend or date who is driving me has been drinking.

_____
Signature

Parent I agree to come and get you at any hour, any place, no questions asked and no argument at that time, or I will pay for a taxi to bring you home safely. I expect we would discuss this issue at a later time.

I agree to seek safe, sober transportation home if I am ever in a situation where I have had too much to drink or a friend who is driving me has had too much to drink.

_____
Signature

_____
Date

S.A.D.D. does not condone drinking by those below the legal drinking age. S.A.D.D. encourages all young people to obey the laws of their state, including laws relating to the legal drinking age.

Part III - Teacher Information

On the next page, you will find a publication by Health and Welfare Canada that gives students information on alcohol. Points for discussion can include:

1. Are there facts in this article that students didn't know or that came as a surprise to them? Which ones?

2. Lady Astor once said, "One reason I don't drink is that I want to know when I'm having a good time."

   Have students list three other reasons for controlled drinking given in Take Control.

Part IV - Teacher Information

Students can discuss the activity on page 31 as a class and then break into smaller groups to do their composing.

TAKE CONTROL

Drinking is a part of our society. Four out of five Canadians drink at least occasionally. Alcohol is available almost everywhere you go – at parties, sporting events, family gatherings and community halls. Advertising leads us to believe that you have to drink to be part of the crowd and that a drink is a reward for accomplishing almost anything at all.

Sometimes it's hard to resist social pressure. But it's more important to be good to your body and yourself, by doing what's best – taking control!

How do you take control?

You can choose not to drink at all, of course. But if you drink, the trick is to know how much you can drink safely. It depends on many things. Here are some of the points you should know.

• Your size, weight, body build and the amount of fat you have in your body are only some of the factors over which you have no control and which influence the effect alcohol will have on you. And when someone suggests you have another drink "just to keep me company", bear in mind that some people can drink more than others. Drinking isn't a contest and you don't have to feel obligated to drink alcohol. Why not switch to your favourite non-alcoholic beverage instead?

• After you have a drink, you may feel more relaxed and have a sense of well being. Soon, however, the effect becomes stronger. Gradually you lose coordination. Your concentration and judgement become impaired. Remember, alcohol, which is a depressant, will make your problems seem worse.

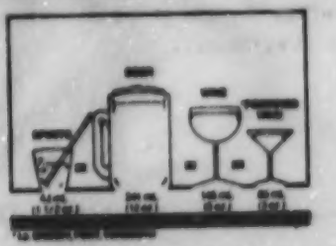
• It may only take you a short time to drink alcohol, but it takes your body much longer to eliminate it. The body can only break down alcohol at the rate of about one drink an hour. For many people, it can take longer.

• Food eaten shortly before or during drinking will slow down the rate at which alcohol gets into the bloodstream, so that it takes longer to feel the effect. Try not to drink on an empty stomach, but don't let a big meal encourage you to drink more just because you can't feel the effect of alcohol as fast. All you're getting is a delayed reaction.

• If you are pregnant or planning a pregnancy, the best advice is to limit your use of alcohol. You may also decide to avoid drinking while pregnant. Heavy alcohol use during pregnancy is harmful for the woman and may interfere with the development of the fetus. But it hasn't been shown that occasionally drinking small amounts of alcohol causes harm.

Did you know that...

these different drinks all contain equal amounts of alcohol?



So whether you are drinking spirits, beer or wine, if you want to drink less, you have to cut down on the number of drinks you consume.

• The effects of alcohol will be greater if you're tired or not feeling well because your body is not working at its best. So be very cautious when you're not feeling well or when you're taking medication. Never drink alcohol unless you've checked with your doctor or pharmacist on the effect it will have when mixed with the drugs you're taking.

• Coffee won't make you sober. Nor will steam baths or vigorous exercise like dancing. The only remedy is to give your body time to get rid of the alcohol. For the sake of your guests at parties, offer non-alcoholic drinks for at least one hour before they leave.

• Alcohol can be more dangerous at certain times than others. Anything you do that requires skill and concentration will be affected by alcohol. It is dangerous in emergencies or situations in which you might be expected to react quickly. For example, that can happen if you're handling equipment or if you're driving, swimming or boating. So remember, if you drink, don't drive.

• Heavy drinking can lead to serious physical effects such as liver disease or cancer as well as problems at home and at work. Drinking can become a habit – one you might not notice. If you drink almost every day or if you are drinking more than usual lately, take a good look at your use of alcohol. If you have any questions, talk to your doctor or a trusted counsellor.

When you take control...

and choose not to drink or at least not to overdrink, think of the advantages. You save a bundle of money. You think more clearly. You work more efficiently. You're safer on the road and you're healthier. So take control of your life. And take it easy.

(Reproduced with permission of Health and Welfare Canada)

Part IV - Student Information

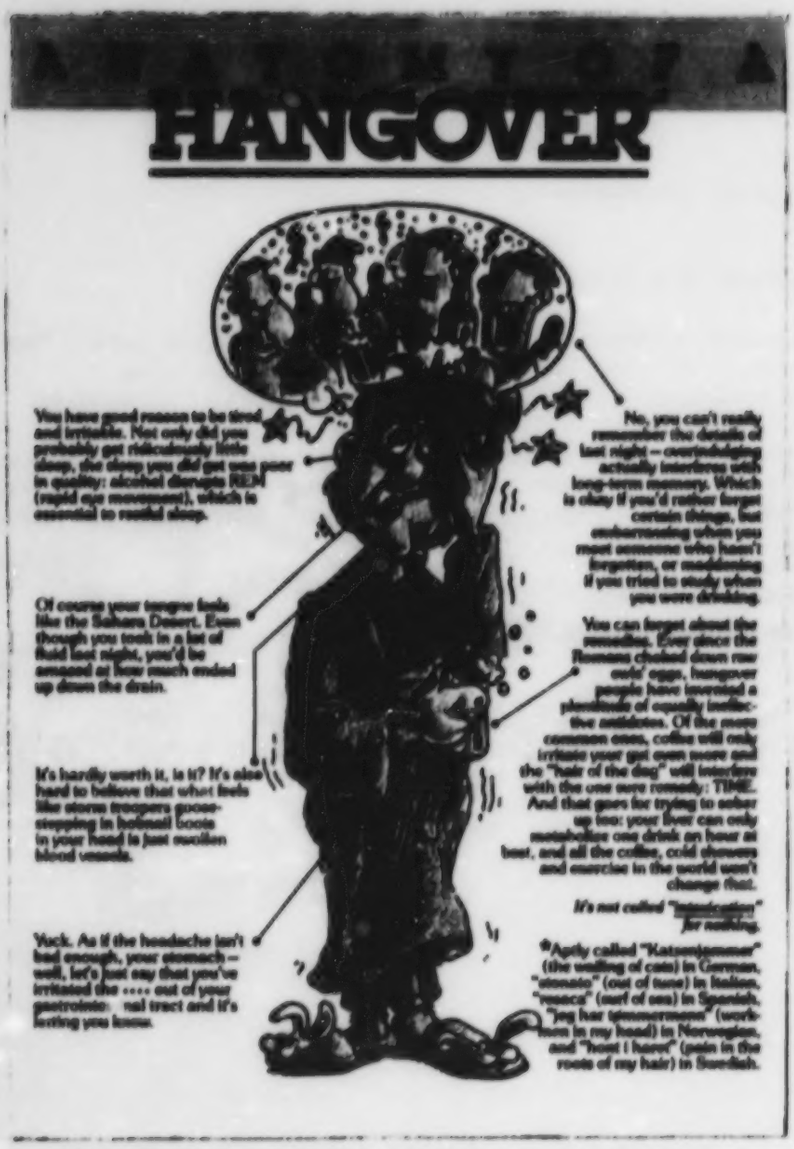
1. Read "ANATOMY OF A HANGOVER", page 32.

   The equivalent of hangover in German is "The wailing of cats", "out of tune" in Italian, "surf of sea" in Spanish, "workmen in my head" in Norwegian and "pain in the roots of my hair" in Swedish.

   In comparison, the term hangover seems very tame! Make up three new terms for a hangover, words that are more expressive, closer to how you feel. You may want to use onomatopoeia, words that sound like their meaning.

   C r u n c h is an example of onomatopoeia.
   Z a p is another example
   P u r r is another.

2. Now read "HOW TO AVOID THE MORNING AFTER THE NIGHT BEFORE", page 33.


HANGOVER
You have good reason to be tired and irritable. Not only did you probably get ridiculously little sleep, the sleep you did get was poor in quality: alcohol disrupts REM (rapid eye movement), which is essential to restful sleep.
Of course your tongue feels like the Sahara Desert. Even though you took in a lot of fluid last night, you'd be amazed at how much ended up down the drain.
It's hardly worth it, is it? It's also hard to believe that what feels like storm troopers goose-stepping in helmeted boots in your head is just swollen blood vessels.
Yuck. As if the headache isn't bad enough, your stomach – well, let's just say that you've irritated the .... out of your gastrointe- nal tract and it's letting you know.
No, you can't really remember the details of last night – overindulging actually interferes with long-term memory. Which is okay if you'd rather forget certain things, but embarrassing when you meet someone who hasn't forgotten, or maddening if you tried to study when you were drinking.
You can forget about the remedies. Ever since the Romans cheated down raw owls' eggs, hangover people have invented a phenomenal number of equally ineffective antidotes. Of the more common ones, coffee will only irritate your gut even more and the "hair of the dog" will interfere with the one sure remedy: TIME. And that goes for trying to sober up too: your liver can only metabolize one drink an hour at best, and all the coffee, cold showers and exercise in the world won't change that.
It's not called "intoxication" for nothing.
*Aptly called "Katzenjammer" (the wailing of cats) in German, "stonato" (out of tune) in Italian, "resaca" (surf of sea) in Spanish, "jeg har tømmermenn" (work-horn in my head) in Norwegian, and "hont i haret" (pain in the roots of my hair) in Swedish.

(Reproduced from Student Life with permission from Health and Welfare Canada.)

"I'm more of a gulper than a sipper, so I either dilute my drinks (like liquor with lots of mixer or white wine with soda) or else I make every second drink non-alcoholic."
"I usually set myself a limit before going to a bar. And when I go to a party, I usually just bring my 'quota' with me. Later in the evening, it's too late to decide such things. After all, the organ we depend on for judgement – the brain – is the first one to become impaired by alcohol."
"I never drink on an empty stomach. I eat dinner before I go to a party in the evening and then nibble as I drink."
"If I'm really bored or uncomfortable at a party, I leave. Otherwise I might end up drinking myself insensible out of pure frustration."
"I use the rule of thumb that it takes at least an hour to metabolize one drink – a drink being either one beer, a shot of liquor or a glass of wine."
"I don't mix drinking with drugs. If I do, I get too blasted to appreciate such subtleties as where the front door is."
"I always carry an emergency cash stash for taxi or bus fare."

(Reproduced from Student Life with permission from Health and Welfare Canada.)

PART V - Teacher Information

This is the final activity in Message in a Bottle. Students should be able to synthesize all the information from their previous readings in order to make a decision.

Every student should do number three. Depending on the size of the class, question number four can involve different students, all having something special to do, either acting, defending or judging.

1. Read students this short item about John.

John is 19 years old. He has just broken off with his girlfriend. He is hoping to be accepted into a technical college for the next school term. John does not get along very well with his father. They argue a lot. John has a good relationship with his mother but right now, she is on vacation visiting his older sister and her kids.

John has lots of friends and they look up to him and admire him. They think that he is very sure of himself and appears to have his life well under control. But John is not sure of himself nor does he have his life under control. He is depressed and anxious.

On the evening of May 15, John asks his best friend, Derek to go to a movie with him. Derek refuses because he has a date. Derek doesn't seem to notice that John really needs his company and support. John goes alone to a party instead. There is a lot of alcohol. Janet, the hostess encourages John to keep drinking, telling him it will make him feel better, help him to forget his problems. John gets drunk.

The party winds down and it is time to go home. Robert, another friend of John's, sees that John is too drunk to drive and offers to give him a lift. John refuses and in fact, is quite belligerent. Robert does not push it, but calls John's father, hoping he will come to get John. John's father is watching a late night baseball game. He tells Robert that John got himself into this drunken mess, he can just get himself out.

John is driving home. He dozes off at the wheel. He awakens with a start to find a transport truck bearing down on him in his own lane. John is killed.

2. List the characters on the board, making sure that students can identify them all.

   John
   Derek
   Janet
   Robert
   John's father
   John's mother
   The driver of the transport.

3. Working alone, have students put characters in order from most guilty to least guilty for John's death. They should write one line of explanation for each character.

   Discuss as a class. It is not necessary to reach a concensus.

4. Have pairs of students act out the scenes between John and Derek, John and Janet, John and Robert, Robert and John's father. Students can script the conversation, perhaps provide one set and one prop and present their dialogues to the class.

   Conduct a mock trial. Each character prepares a short speech in their own defence, why they are not guilty. Other students can be the jury and make a final decision. The teacher, or perhaps a student, can act as judge and moderator.

LIFE AT THE BOTTOM

Intermediate Objectives

The student will brainstorm to define certain key terms from the Québec Charter of human rights and freedoms.

The student will examine excerpts from the Québec Charter of human rights and freedoms.

The student will read and respond to a news items concerning the homeless.

The student will demonstrate his/her responses to the issue of the homeless by developing a relevant project.

LIFE AT THE BOTTOM

Part I - Teacher Information

The students are now in the realm of social responsibility. The topic of the homeless is one that the students will most likely be familiar with; it is a hot current issue. City kids will likely have first hand experience.

The springboard for this activity is the Quebec Charter of human rights and freedoms, on pages 42 to 45. With regard to the homeless, only the preamble and Part I, Chapter I will be dealt with. However, there are other interesting and topical areas that you might want to touch on such as Chapter 1.1 (10, 10.1, 11-16) Chapter III (25-29, 32-34, 37.1), Chapter IV (39, 40, 45, 46).

1. As a class, brainstorm to define these words:

rights	respect
freedoms	justice
individual worth	peace
dignity	common well being

2. Introduce to the students and then read the Quebec Charter of human rights and freedoms, the preamble and Part I. As a class discuss the emphasis of these sections. What do these sections protect?

3. Have the students read or read aloud with them "Life at the Bottom", on pages 46 to 49.

As a class discuss:

- Students reactions to the idea of street people:

  a) literacy
  b) pecking order
  c) ex-convicts
  d) sense of responsibility
  e) substitute families
  f) privacy
  g) legal recourse

- How do their lives seem to contradict what is protected by law in the Charter?

- What will be some of the students' responsibilities as adults?

  eg. paying taxes?
  voting?
  abiding by the laws?
  working?
  having children?
  doing volunteer work?
  giving to charity?

- Do Joe and Johnny perform any of these?

- What do you think might have happened to Joe and Johnny to put them on the street?

- What do you think their future holds?

Charter of human rights and freedoms

Whereas every human being possesses intrinsic rights and freedoms designed to ensure his protection and development;

Whereas all human beings are equal in worth and dignity, and are entitled to equal protection of the law;

Whereas respect for the dignity of the human being and recognition of his rights and freedoms constitute the foundation of justice and peace;

Whereas the rights and freedoms of the human person are inseparable from the rights and freedoms of others and from the common well-being;

Whereas it is expedient to solemnly declare the fundamental human rights and freedoms in a Charter, so that they may be guaranteed by the collective will and better protected against any violation;

Therefore, His Majesty, with the advice and consent of the National Assembly of Québec, enacts as follows:

PART I

HUMAN RIGHTS AND FREEDOMS

CHAPTER I

FUNDAMENTAL FREEDOMS AND RIGHTS

1. Every human being has a right to life, and to personal security, inviolability and freedom.

He also possesses juridical personality.

2. Every human being whose life is in peril has a right to assistance.

Every person must come to the aid of anyone whose life is in peril, either personally or calling for aid, by giving him the necessary and immediate physical assistance, unless it involves danger to himself or a third person, or he has another valid reason.

3. Every person is the possessor of the fundamental freedoms, including freedom of conscience, freedom of religion, freedom of opinion, freedom of expression, freedom of peaceful assembly and freedom of association.

4. Every person has a right to the safeguard of his dignity, honour and reputation.

5. Every person has a right to respect for his private life.

6. Every person has a right to the peaceful enjoyment and free disposition of his property, except to the extent provided by law.

7. A person's home is inviolable.

8. No one may enter upon the property of another or take anything therefrom without his express or implied consent.

9. Every person has a right to non-disclosure of confidential information.

No person bound to professional secrecy by law and no priest or other minister of religion may, even in judicial proceedings, disclose confidential information revealed to him by reason of his position or profession, unless he is authorized to do so by the person who confided such information to him or by an express provision of law.

The tribunal must, on its own initiative, ensure that professional secrecy is respected.

9.1 In exercising his fundamental freedoms and rights, a person shall maintain a proper regard for democratic values, public order and the general well-being of the citizens of Québec.

In this respect, the scope of the freedoms and rights, and limits to their exercise, may be fixed by law.

CHAPTER I.1

RIGHT TO EQUAL RECOGNITION AND EXERCISE OF RIGHTS AND FREEDOMS

10. Every person has a right to full and equal recognition and exercise of his human rights and freedoms, without distinction, exclusion or preference based on race, colour, sex, pregnancy, sexual orientation, civil status, age except as provided by law, religion, political convictions, language, ethnic or national origin, social condition, a handicap or the use of any means to palliate a handicap.

Discrimination exists where such a distinction, exclusion or preference has the effect of nullifying or impairing such right.

10.1 No one may harass a person on the basis of any ground mentioned in section 10.

11. No one may distribute, publish or publicly exhibit a notice, symbol or sign involving discrimination, or authorize anyone to do so.

12. No one may, through discrimination, refuse to make a juridical act concerning goods or services ordinarily offered to the public.

13. No one may in a juridical act stipulate a clause involving discrimination.

Such a clause is deemed without effect.

14. The prohibitions contemplated in sections 12 and 13 do not apply to the person who leases a room situated in a dwelling if the lessor or his family resides in such dwelling, leases only one room and does not advertise the room for lease by a notice or any other public means of solicitation.

15. No one may, through discrimination, inhibit the access of another to public transportation or a public place, such as a commercial establishment, hotel, restaurant, theatre, cinema, park, camping ground or trailer park, or his obtaining the goods and services available there.

16. No one may practice discrimination in respect of the hiring, apprenticeship, duration of the probationary period, vocational training, promotion, transfer, displacement, laying off, suspension, dismissal or conditions of employment of a person or in the establishment of categories or classes of employment.

17. No one may practice discrimination in respect of the admission, enjoyment of benefits, suspension or expulsion of a person by, or in his participation in any employers' or employees' association or any professional corporation or association of persons carrying on the same occupation.

18. No employment bureau may practise discrimination in respect of the reception, classification or processing of a job application or in any document intended for submitting an application to a prospective employer.

18.1 No one may, in an employment application form or employment interview, require a person to give information regarding any ground mentioned in section 10 unless the information is useful for the application of section 20 or the implementation of an affirmative action program in existence at the time of the application.

18.2 No one may dismiss, refuse to hire or otherwise penalize a person in his employment owing to the mere fact that he was found guilty or that he pleaded guilty to a penal or criminal offence, if the offence was in no way connected with the employment or if the person has obtained a pardon for the offence.

19. Every employer must, without discrimination, grant equal salary or wages to the members of his personnel who perform equivalent work at the same place.

A difference in salary or wages based on seniority, years of service, merit, productivity or overtime is not considered discriminatory if such criteria are common to all members of the personnel.

20. A distinction, exclusion or preference based on the aptitudes or qualifications required for an employment, or justified by the charitable, philanthropic, religious, political or educational nature of a non-profit institution or of an institution devoted exclusively to the well-being of an ethnic group, is deemed non-discriminatory.

Ajout de texte. Similarly, under an insurance or pension contract, a group benefits plan or a retirement, pension or insurance plan, or under a public pension or public insurance plan, a distinction, exclusion or preference based on risk determining factors or actuarial data fixed by regulation is deemed non-discriminatory.

CHAPTER II

POLITICAL RIGHTS

21. Every person has a right of petition to the National Assembly for the redress of grievances.

22. Every person legally capable and qualified has the right to be a candidate and to vote at an election.

CHAPTER III

JUDICIAL RIGHTS

23. Every person has a right to a full and equal, public and fair hearing by an independent and impartial tribunal, for the de

determination of his rights and obligations or of the merits of any charge brought against him.

The tribunal may decide to sit *in camera*, however, in the interests of morality or public order.

Furthermore, in proceedings in family cases, sittings in first instance are held *in camera* unless the tribunal decides otherwise on the motion of any person and if it deems it expedient in the interests of justice.

34. No one may be deprived of his liberty or of his rights except on grounds provided by law and in accordance with prescribed procedure.

34.1 No one may be subjected to unreasonable search or seizure.

35. Every person arrested or detained must be treated with humanity and with the respect due to the human person.

36. Every person confined to a house of detention has the right to separate treatment appropriate to his sex, his age and his physical or mental condition.

37. Every person confined to a house of detention while awaiting the outcome of his trial has the right to be kept apart, until final judgment, from prisoners serving sentence.

38. Every person arrested or detained has a right to be promptly informed, in a language he understands, of the grounds of his arrest or detention.

38.1 Every accused person has a right to be promptly informed of the specific offence with which he is charged.

39. Every person arrested or detained has a right to immediately advise his next of kin thereof and to have recourse to the assistance of an advocate. He has a right to be informed promptly of these rights.

40. Every person arrested or detained must be brought promptly before the competent tribunal or released.

41. No person arrested or detained may be deprived without just cause of the right to be released on undertaking, with or without deposit or surety, to appear before the tribunal at the appointed time.

42. Every person deprived of his liberty has a right of recourse to *habeas corpus*.

42.1 Every accused person has a right to be tried within a reasonable time.

43. Every accused person is presumed innocent until proven guilty according to law.

43.1 No accused person may be compelled to testify against himself at his trial.

44. Every person has a right to be represented by an advocate or to be assisted by one before any tribunal.

45. Every accused person has a right to a full and complete defence and has the right to examine and cross-examine witnesses.

46. Every accused person has a right to be assisted free of charge by an interpreter if he does not understand the language used at the hearing or if he is deaf.

47. No accused person may be held guilty on account of any act or omission which at the time when it was committed, did not constitute a violation of the law.

47.1 No person may be tried again for an offence of which he has been acquitted or of which he has been found guilty by a judgment that has acquired force as *res judicata*.

47.2 Where the punishment for an offence has been varied between the time of commission and the time of sentencing, the accused person has a right to the lesser punishment.

48. No testimony before a court may be used to incriminate the person who gives it, except in a prosecution for perjury or for the giving of contradictory evidence.

CHAPTER IV

ECONOMIC AND SOCIAL RIGHTS

49. Every child has a right to the protection, security and attention that his parents or the persons acting in their stead are capable of providing.

50. Every person has a right, to the extent and according to the standards provided for by law, to free public education.

51. Parents or the persons acting in their stead have a right to require that, in the public educational establishments, their children receive a religious or moral education in conformity with their convictions, within the framework of the curricula provided for by law.

52. Parents or the persons acting in their stead have a right to choose private educational establishments for their children, provided such establishments comply with the standards prescribed or approved by virtue of the law.

53. Persons belonging to ethnic minorities have a right to maintain and develop their own cultural interests with the other members of their group.

54. Every person has a right to information to the extent provided by law.

55. Every person in need has a right, for himself and his family, to measures of financial assistance and to social measures provided for by law, susceptible of ensuring such person an acceptable standard of living.

56. Every person who works has a right, in accordance with the law, to fair and reasonable conditions of employment which have proper regard for his health, safety and physical well-being.

57. Husband and wife have, on the marriage, the same rights, obligations and responsibilities.

Together they provide the moral guidance and material support of the family and the education of their common offspring.

58. Every aged person and every handicapped person has a right to protection against any form of exploitation.

Such a person also has a right to the protection and security that must be provided to him by his family or the persons acting in their stead.

CHAPTER V

SPECIAL AND INTERPRETATIVE PROVISIONS

59. Any unlawful interference with any right or freedom recognized by this Charter entitles the victim to obtain the cessation of such interference and compensation for the moral or material prejudice resulting therefrom.

In case of unlawful and intentional interference, the tribunal may, in addition, condemn the person guilty of it to exemplary damages.

60. The Charter shall not be so interpreted as to suppress or limit the enjoyment or exercise of any human right or freedom not enumerated herein.

61. The Charter shall not be so interpreted as to extend, limit or amend the scope of a provision of law except to the extent provided in section 62.

62. No provision of any Act, even subsequent to the Charter, may derogate from sections 1 to 38, except as far as provided by those sections, unless such Act expressly states that it applies despite the Charter.

63. If any doubt arises in the interpretation of a provision of the act, it shall be resolved in keeping with the intent of the Charter.

64. The Charter binds the Crown.

65. The Charter affects those matters that come under the legislative authority of Québec.

66. (1) In sections 9, 23, 30, 31, 34 and 38, the word "tribunal" includes a coroner, a fire investigator, commissioner, an inquiry commission, and any person or agency exercising quasi-judicial functions.

(2) In section 19, the words "salary" and "wages" include the compensations or benefits of pecuniary value connected with the employment.

(3) In the Charter, the word "law" or "act" includes a regulation, a decree, an ordinance or an order in council made under the authority of any act.

PART II

COMMISSION DES DROITS DE LA PERSONNE

CHAPTER I

CONSTITUTION

67. A body, hereinafter called "the commission", is established under the name of "Commission des droits de la personne".

68. The commission shall be composed of at least seven members, one of whom shall be the president, and another, the vice-president. They shall be appointed by the National Assembly upon the motion of the Prime Minister, for a term not exceeding ten years.

Such appointments must be approved by two-thirds of the members of National Assembly.

59. The [illegible] shall fix the salary and the conditions of employment or, as the case may be, the additional salary, fees or allowance of each member of the commission.

Their salary and term of office, once determined, shall not be reduced.

60. The functionaries and employees required for the carrying out of this Charter shall be appointed by the commission; their number shall be determined by the Government who shall establish the scales of their remuneration and their conditions of employment. They may be dismissed by the Government but only on the recommendation of the commission.

61. Before entering into office, the members of the commission shall take the oaths or solemn declarations provided in Schedules A and B, before the President of the National Assembly.

62. The members of the commission shall remain in office until they are replaced.

After such replacement, they shall continue to hear the matters of which they had already been seized.

63. The commission shall have its seat in the City of Québec or in the City of Montréal as the Government may decide by an order which shall come into force upon publication in the *Gazette officielle du Québec*.

The commission shall also have an office in that city of the two mentioned in the first paragraph in which it does not have its seat.

It may also open offices anywhere in Québec.

64. The commission may make by-laws for its internal management.

Such by-laws shall come into force, after their approval by the Government, on their publication in the *Gazette officielle du Québec* or on any date indicated therein.

65. The commission may hold its sittings anywhere in Québec.

CHAPTER III

FUNCTIONS

66. The commission must promote, by every appropriate measure, the principles enunciated in this Charter, and exercise the powers and carry out the duties prescribed in this Charter.

67. The commission shall in particular:

(a) receive complaints and make investigations regarding matters within its competence by virtue of section 68;

(b) establish a programme of information and education designed to promote an understanding and acceptance of the objects and provisions of this Charter;

(c) direct and encourage research and publications relating to fundamental rights and freedoms;

(d) make an analysis of any Québec statutes that may be inconsistent with the Charter and make the appropriate recommendations to the Government;

(e) receive the suggestions, recommendations and requests made to it concerning human rights and freedoms, study them and make the appropriate recommendations to the Government; and

(f) cooperate with any Québec or outside organization dedicated to the promotion of human rights and freedoms.

68. The commission shall, not later than 31 March each year, report to the President of the National Assembly a report of its activities during the preceding calendar year, and of its recommendations.

The report shall be laid before the National Assembly if it is in session or, if it is not, within thirty days of the opening of the next session.

The report shall be published and distributed by the Québec Official Publisher in the manner determined by order of the Government.

69. Any person who has reason to believe that he is or has been the victim of a violation of any of the rights recognized in sections 10 to 19 or in the first paragraph of section 48, may, in writing, request the commission to make an investigation.

Any group of persons may, in the same manner and on the same conditions, request an investigation.

70. Any organization dedicated to the defence of human rights and freedoms or to the welfare of a group of persons, which has reason to believe that a violation of any of the rights contemplated in section 69 has been committed may also, in writing, request an investigation in the name of another, provided the person on whose behalf the request is made has given his consent in writing.

However, if the request is made on behalf of a person contemplated in section 48, such organization may act without the consent of such person.

70.1 A request for an investigation, on being made to the Commission, suspends the prescription of any civil claim for the same object for one year or until the Commission has notified the applicant in the case provided for in section 78 or has informed him of the result of its investigation in accordance with section 82, whichever time is shorter.

71. The person requesting an investigation may demand that the commission not allow disclosure of his identity during the investigation.

The commission shall grant such demand if it is consistent with the public interest and the requirements of the proceedings.

This section also applies in regard to the person for whom an investigation is requested under section 70.

72. The commission and the members of its personnel must lend their assistance for the drafting of a request for an investigation to any person or group of persons requesting it.

73. The commission may make an investigation on its own initiative.

74. The commission shall make an investigation into the facts alleged in the request or revealed during the inquiry.

75. The commission may, in writing, authorize a person other than a member of its personnel to make an investigation under this act to make a report to it.

76. The commission must refuse to make or pursue an investigation when it finds that it has no jurisdiction under this act.

77. The commission may refuse to make or pursue an investigation when it considers that the applicant has not a sufficient interest, that the request is frivolous, vexatious or made in bad faith, or that an investigation is not necessary in view of the circumstances.

78. When the Public Protector receives a complaint which falls under the jurisdiction of the commission, he shall transfer the record to the commission, which shall be seized thereof as of right.

79. The commission, when it refuses to make or to pursue an investigation or when, after investigation, it finds the complaint unfounded, shall notify the applicant and give him the reasons therefor.

It may also indicate to him the other resources that might be considered, if any.

80. The members and the personnel of the commission, and the person designated in conformity with section 75, have, for the purposes of an investigation, the powers and immunity of commissioners appointed under the Act respecting public inquiry commission (R.S.Q., chapter C-37).

81. The commission shall endeavour to bring the parties to settle their dispute. If a settlement is reached, the terms thereof must be evidenced in a writing.

82. If the commission is unable to bring the parties to a settlement of their dispute, it shall inform them of the result of its investigation.

It may recommend the cessation of the act complained of, the performance of an act, or the payment of an indemnity, within the delay it fixes.

83. When the recommendations provided for in section 82 has not been complied with to the satisfaction of the commission, within the fixed delay, the commission may, with the written consent of the victim, apply to the tribunal to obtain an injunction against the person in default.

The commission may also, with such consent, apply to the tribunal to claim, in favour of the victim, the indemnity which it recommended to be paid.

If the recommendation benefits a person for whom an investigation has been requested without his consent by virtue of the second paragraph of section 70, the tribunal shall, despite the Code of Civil Procedure and if the circumstances warrant it in the interest of such person, agree to hear the request without the consent of such person.

83.1 No person may attempt to take or take reprisals against a person, a group of persons or an organization who or which has, in good faith, requested an investigation or has given evidence or otherwise taken part in an investigation undertaken by or on behalf of the Commission.

The same applies also to a person for whom an investigation was requested without that person's consent under the second paragraph of section 70.

83.2 The Commission, with the written consent of the victim or the organization who or which has made a request for an investigation on behalf of another person by virtue of the second paragraph of section 70, may apply to the court for an injunction against a person who contravenes the first paragraph of section 83.1.

The judge may then order any appropriate measure, including reinstatement of the injured person, on the date the judge considers fair and expedient under the circumstances, in the position he would have occupied had it not been for the contravention.

[illegible] may, if he prefers, exercise [illegible] the recourse provided for in section 63 or 63.2. Where the recourse were exercised by the Commission in first instance, the victim may [illegible] bring an appeal. He may also, at any stage of the proceedings, join his application to that of the Commission. In such cases, the Commission must allow him to consult his record.

Where the victim has joined his application to that of the Commission, the Commission is not entitled to bring an appeal alone except with the written consent of the victim.

86. The commission must make a report to the Attorney General of any fact it considers susceptible of constituting an offence contemplated in section 67.

86. No civil action shall be taken by a reason or in consequence of the publication of a report of the commission under this Charter, or the publication in good faith of an extract from or summary of such a report.

PART III

AFFIRMATIVE ACTION PROGRAMS

86.1 The object of an affirmative action program is to remedy the situation of persons belonging to groups discriminated against in employment, or in the sector of education or of health services and other services generally available to the public.

An affirmative action program is deemed non-discriminatory if it is established in conformity with the Charter.

86.2 *Alert in force.* Every affirmative action program must be approved by the Commission, unless it is imposed by order of the court.

The Commission must, wherever required, lend assistance for the drawing of an affirmative action program.

86.3 If, after investigation, the Commission confirms the existence of a situation involving discrimination referred to in section 86.1, it may recommend the implementation of an affirmative action program within such time as it may fix.

Where its recommendation has not been followed, the Commission may apply to the court and, on proof of the existence of a situation contemplated in section 86.1, obtain, within the time fixed by the court, an order to devise and implement a program. The program thus devised is filed with the court which may, in accordance with the Charter, make the modifications it considers appropriate.

86.4 The Commission shall supervise the elaboration of the affirmative action programs. It may make investigations and require reports.

86.5 Where the Commission becomes aware that an affirmative action program has not been implemented or is not being followed, it may, in the case of a program it has approved, withdraw its approval or, if it recommended implementation of the program, it may apply to the Court as in the second paragraph of section 86.3.

86.6 A program contemplated in section 86.3 may be modified, postponed or cancelled if new facts warrant it.

If the Commission and the person required to implement the affirmative action program agree on its modification, postponement or cancellation, the agreement shall be evidenced in writing.

Failing agreement, either party may request the court to decide whether the new facts warrant the modification, postponement or cancellation of the program.

All modifications must conform to the Charter.

86.7 The Government must require its departments and agencies to implement affirmative action programs within such time as it may fix.

Sections 86.2 to 86.6 do not apply to the programs contemplated in this section. The programs must, however, be the object of a consultation with the Commission before being implemented.

PART IV

REGULATIONS

86.8 The Government may, by regulation,

(a) fix the actuarial data and the risk determining factors that are non-discriminatory under an insurance or pension contract, a social benefits plan or a retirement, pension or insurance plan, or a public pension or public insurance plan, determine in which cases and according to what kind of contract or plan the data and factors are deemed non-discriminatory, and make, for the purposes of these contracts and plans, every provision incident to the application of the principle of non-discrimination and the rules relating to the notion of spouse;

(b) fix the criteria, norms, scales, conditions or modalities applicable for the drawing, implementation or carrying out of affirmative action programs, define their terms and determine anything necessary or useful for these purposes.

86.9 The Government, after consultation with the Commission, shall publish the draft regulation in the *Gazette officielle du Québec* with a notice of the time after which the draft will be tabled before the Standing Committee on Justice and that it may be adopted on the expiry of thirty days after the Committee reports to the National Assembly.

The Government may then amend the draft regulation. It must, in that case, publish the amended draft regulation in the *Gazette officielle du Québec* with a notice indicating that it will be adopted without amendment at the expiry of thirty days after such publication.

86.10 Every regulation comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date indicated therein."

PART V

FINAL PROVISIONS

87. Every person is guilty of an offence

(a) who contravenes sections 10 to 19 and 83.1;

(b) who, being a member of the commission or of its personnel or a person designated in accordance with section 78, discloses, without being duly authorized to do so, anything that has come to his knowledge in the performance of his duties;

(c) who attempts to obstruct or obstructs the commission, the members of its personnel or the person designated in accordance with section 78, in the performance of their duties and, in particular, in the conduct of an investigation.

88. If a corporation commits an offence referred to in section 87, any officer, director, employee or representative of such corporation who prescribed or authorized the committing of the offence, or who consented thereto or acquiesced or participated thereto, is deemed to be a party to the offence whether or not the corporation has been prosecuted or found guilty.

89. Penal proceedings under this Act are instituted by the Commission or by the Attorney General or the person authorized by him for that purpose.

90. Sections 11, 12, 14, 17 and 18 of the Charter do not apply to pension plans, retirement plans, life insurance plans or any other plan or scheme of social benefits unless the discrimination is founded on race, colour, religion, political convictions, language, ethnic or national origin or social condition.

91. The Minister of Justice has charge of the application of this Charter.

92. This Act shall operate notwithstanding the provisions of sections 2 and 7 to 15 of the Constitution Act, 1982, (Schedule B of the Canada Act, chapter 11 in the 1982 volume of the Acts of the Parliament of the United Kingdom).

The second paragraph of section 20 of the Charter will come into force on the day of the coming into force of a regulation under paragraph a of section 86.8 of the Charter (1982, c. 61, s. 32).

Section 90 of the Charter will be repealed upon the coming into force of section 25 of chapter 61 of the statutes of 1982 on the date fixed by proclamation of the Government.

Any provisions referred to in the Charter as must or have will come into force on the date or dates fixed by proclamation of the Government (1982, c. 61, s. 35).

Commission
des droits de la personne
du Québec

Montréal: 360, rue Saint-Jacques, H2Y 1P5
(514) 873-7618
Toll free: 1-800-361-6477

Québec: 1379 ouest, boulevard Charest, G1N 4K7
(418) 643-4826
Toll free: 1-800-463-5260

Québec ::

Gazette George Bird

Joe, 35, and Johnny, 33: Each day is a search for food, liquor and a place to sleep.

(Reproduced with permission from The Gazette)

The Gazette
LIVING
MONTREAL, FRIDAY, APRIL 15, 1988

LIFE AT THE BOTTOM

Montreal's street people have their own pecking order their own lonely rules and unspoken code

By ELISABETH KALBFUSS
of The Gazette

Hunched over a table in St. Michael's Mission is a tiny man wearing a tie and white shirt with sleeves rolled up to reveal "I Hate Cops," "MOM" and Woody Woodpecker tattoos. Johnny is making a birthday card.

"HAPPY BIRTHDAY, DONNIE," he writes on a piece of brown corrugated cardboard. He pauses often to drink the salty Chinese cooking wine in the cup beside him.

"TODAY IS SPECIAL DAY FOR YOU, AND MAY YOU HAVE MANY MORE TO COME. LOVE JOHN AND JOE."

Johnny's buddy, Joe, sits beside him and keeps the Styrofoam cup they share filled with the clear, foul-smelling wine. He smuggled in the bottle in his jacket sleeve.

Johnny and Joe are drinking buddies. Their hair is long and straggly, their clothes often reek of smoke, cheap liquor and irregular showers.

They live by the lonely rules of the street, where each day is a new search for a place to sleep, food, cigarettes and a drink or a fix along the circuit of Métro stations, missions and drop-in centres.

The street has its own pecking order and its own unspoken code.

What you have, you share — a bottle, tobacco and rolling papers, a few bucks.

You treat people as they treat you — with scorn, respect, tolerance or kindness.

Johnny finishes decorating the card with a flower and a frilled heart and presents it to Donna Kalos. It's her 22nd birthday. She's the cook at this drop-in centre on President Kennedy Ave. and makes soup for as many as 60 people, mostly men, who visit each weekday morning.

"I think birthdays are special and should be remembered," says Johnny, who marked his 33rd in January. "Don't you?"

• • •

Richard Woolrich, director of St. Michael's Mission, describes the social order of the down and out:

"Drug addicts are different from glue sniffers, and people with psychiatric disorders are found in each subculture.

"There's a definite attitude that glue sniffers are the bottom of the heap, because it's well known that (glue) causes irreparable brain damage.

"An alcoholic sees himself as drinking because he's sick, has a disease. A person who has his drinking sort of under control and can maintain himself even though he continues to drink sees himself a step above those on the street.

"Alcoholics who are dry see themselves as another rung above. It's tied to a sense of accomplishment or degree of control over one's life."

People with psychiatric problems tend to be considered unpredictable and they are often ignored by other down-and-outers.

Street people often pair off into partnerships, says Jim Baumohl, a McGill University social work professor, but they aren't likely to form a gang.

They'll make elaborate plans for the future with people they've known a week, he says.

"Street life teaches you to think about yourself first, and there's guilt that comes along with that. People will compensate for the guilt by making extravagant pledges of loyalty that of course can't be kept.

"On the streets you can be whoever you want to be, make up the past as you go along."

Like friendships anywhere, those formed by street people are based on shared interests and experience.

Johnny and Joe, Micmac Indians from Nova Scotia, both spent time in jail. Joe says he got 10 years for murder, Johnny says he got five for bank robbery.

These days, what they share comes out of a bottle: St. Georges Canadian sherry ($6.10 at the SAQ) if they've had a windfall, otherwise it's cooking wine (38-per-cent alcohol, 2-per-cent salt, $1.50 at a Chinatown grocery).

"We're brothers," Johnny says, even though there is no blood relationship. "Me and him, we look after each other."

Things are going well for him now, Johnny says. He'll get a haircut and start a shipping job soon. (The date and salary vary with each retelling.)

When his welfare cheque arrives, he will collect his common-law wife, Carol, from Toronto, and together with Joe they'll try to find a place to live. He's hoping to find a nice apartment, possibly a duplex. "You, me and my wife," Johnny says.

"And a bottle of wine," Joe grins.

• • •

It's midday. Joe has a pack of real cigarettes and $15 in crisp, new bills given to him by his cousin, who just got out of jail this morning. He gives Johnny $10 and sends him off to buy a bottle.

Joe settles in on the steps beside a busker who plays guitar and sings inside the Place des Arts Métro station. Johnny brings the St. Georges sherry, hands Joe his change, opens the bottle, then hands him that, too.

Joe drinks first, then Johnny.

Between drinks, Joe shows his right hand, a big paw still scarred purple from last fall, when some punk threw gasoline on him and set him on fire outside Place des Arts. Several times a day Joe examines his hand, wondering if it's healed any more.

"I don't know why he did it," he says. "I was drunk. Maybe he didn't like me."

Johnny and one of the other guys chased the punk down and beat him up.

"He better not come back because I'm gonna kill him," Joe says.

Joe, 35, is older, bigger, stronger and the leader in this pair. Johnny, only 4-feet-11 and 108 pounds, always gives Joe the first swig of booze and the chance to call the shots.

"Dance, Leprechaun," Joe says. "Dance or you won't get no more."

Johnny obliges by swivelling his hips, stomping his foot about half a beat behind the music and clapping his hands.

They laugh. The lunch-hour commuters who walk by stare, look away or toss their change.

When the St. Georges is half empty and the busker packs up his guitar, Joe and Johnny break camp, too. As they walk, the bag with the bottle slips out of Johnny's hand.

"It's OK, Joe, it's not broke," Johnny says as the amber liquid forms rivulets on the floor tiles.

"He's broke so many bottles," Joe says, shaking his head. "Come on. Let's go."

It's no big deal. They'll panhandle for a while and when they want it, go buy another bottle.

• • •

"Among real street people, there's a sense that property is common. They don't have the tenacious grasp on material goods that middle-class people have," says Woolrich of St. Michael's. "When it comes to crime, many victimize each other.

"If they have something stolen, they may complain, but it doesn't seem to bother them a great deal. If they make $10 bumming in the Métro and it gets lost or stolen, they know they can make it again tomorrow."

Street people often "bum" in pairs, sharing their loot, according to Michael, who lives at the Salvation Army hostel on St. Antoine St. and helps out at the St. James United Church Drop-In Centre on City Councillors St. It's when they're drunk that they'll fight over a bottle or steal from each other.

Sometimes Joe doesn't remember how or where he got the scars that appear after drinking bouts.

"Drunks have cut-up faces, black eyes and broken noses," says Michael. "Some will just haul off and smack each other over stupid things.

"You don't interfere, you just let it happen."

Lucia Kowaluk, the St. James drop-in centre's coordinator, says she sees some enduring friendships form. They last even though one person abuses the other: "They can't afford not to be friends. They need a buddy, someone to hug or to hate," she says.

Sometimes street people fall prey to younger punks who beat them and steal their money.

"Some of the younger guys make a living out of figuring out who's going to be getting a pension cheque," says Michael. "Young guys don't have street experience and don't realize they might be in the same situation some day."

• • •

Social agencies say that Montreal has about 10,000 homeless — people without affordable, stable housing. They occupy roughly 7,000 rooms in rooming houses, fewer than 900 hostel beds (only about 100 of them for women), stay with friends or family temporarily, share cheap apartments — or sleep on the street or in doorways.

A small number of these homeless — no figure is available — are street people. They spend their days making the rounds from one soup kitchen to the next. They either sleep outdoors or go to one of the city's dozen hostels, most of which are funded through a combination of private, church and government donations.

Damjan, 53, has been on the street for eight years and sleeps there because he doesn't like hostel rules.

His "family," he says, are the people he eats with at the missions and those he slept with outside the Place des Arts hot-air ducts before they turned off the heat in February.

"There's a substitution of the real family with the relationships that exist in soup kitchens and drop-in centres. They're used as a defensive technique, in order to communicate and survive," he says.

Damjan used to spend his days reading in the Concordia University library and speaks with the slow, measured sentences of a man who has given this subject much thought.

"If you're strong and use some kind of intelligence, street-wise know-how, you can survive. If you're old, lonely, sick, kicked around, then you become frustrated and you lose faith in humanity and become an animal; an animal which in order to survive will fight, will steal, will kill.

"All of these things are consequences of being mistreated for a long time. If you're weak, you commit suicide. If you're not strong enough to take your own life, you drink yourself to death or use drugs to facilitate the end. These are the laws."

• • •

"This guy will drink anything, sniff anything or take any kind of drug," says a man at the drop-in, describing Johnny.

Johnny hears this and denies it, swearing he has stopped sniffing.

"Oh yeah, for how long, a couple of hours?" snorts another, who says he buys his own favorite paint thinner for $3.36 including tax at Canadian Tire. "It'll last me about a week, a small one. It would last Johnny about a day, not even."

"Joe made me," Johnny insists. "Sniffing's no good, eh Joe?"

"I slapped him in the face. And I'll do it again," Joe says, confirming this.

"I had a cousin come out of prison, he was sick. I wanted to get him a drink, but he said no, that's not what he was sick for," Joe explains, later, while he and Johnny are on their way to panhandle. "It was glue. He went back home and tied himself to a tree and hanged himself. Hey, Leprechaun, you remember what I did to you? I'll do it again."

• • •

"You want to know what it's like on the streets?" asks Michael.

"You thank whatever gods you believe in that you made it through another day, and in the morning you pray to help you make it through the next.

"That's all there is in this life, anyway."

(Reproduced with permission from The Gazette)

Part II - Teacher Information

This section is a follow-up to Joe's and Johnny's story and is also a preamble to the final production in this module. The flowcharts on pages 52 & 53, represent an idealistic situation and solve problems very systematically. Obviously, this is unrealistic. There are advocates, however, who do suggest that being homeless is really the root of the problem and that by providing homes the problems will begin to solve themselves. The flowchart represents that viewpoint.

Students should follow the direction of the flowchart, examining how one solution leads to another, and then back to the beginning, producing a circle of success. Each step has a number. Students should write the description of each step beside the corresponding number at the right hand side of the page.

Part II - Student Information

You know that these are some of the things that are necessary to find and keep a job:

- You must look neat and clean
- You must be rested so that you can work well
- You must be fed so that you have energy
- You must be on time

Frank is homeless. Many of the homeless stay in hostels at night. A hostel is a shelter where people can sleep and be fed. It is like a dormitory in that there may be 30 beds in a room. There are never enough hostels to accommodate all the homeless, so often Frank has to wait in line to get in.

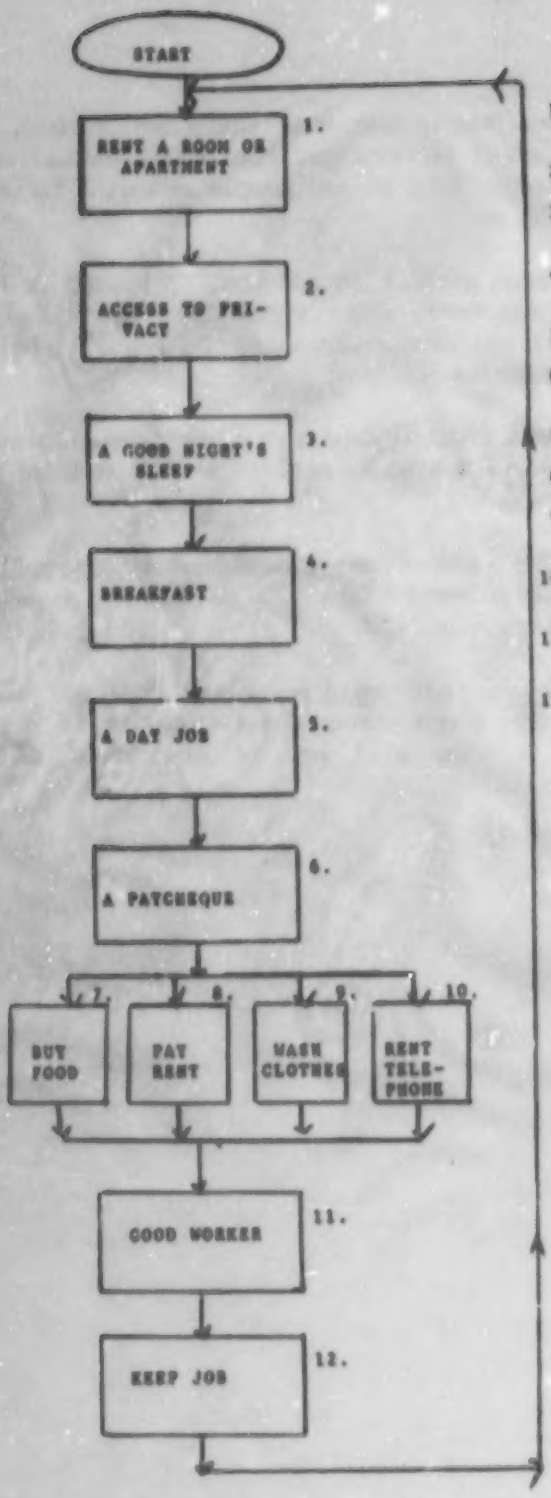
Sometimes the hostels are not safe. People who stay there get robbed, so they stay awake all night guarding their belongings, like their extra clean shirt. Sometimes breakfast is served at 7:00 am and people who want to work that day really need to start at 6:30 am.

Frank cannot receive welfare assistance without an address. (A hostel is not an address. A person cannot stay there every night.) How can Frank afford a place to live with no job and no welfare assistance? This is called a Catch-22 situation - either way, Frank loses.

If Frank does get a job for a few days and the employer wants to contact him again, if Frank has no address then he has no telephone number. How can an employer contact Frank?

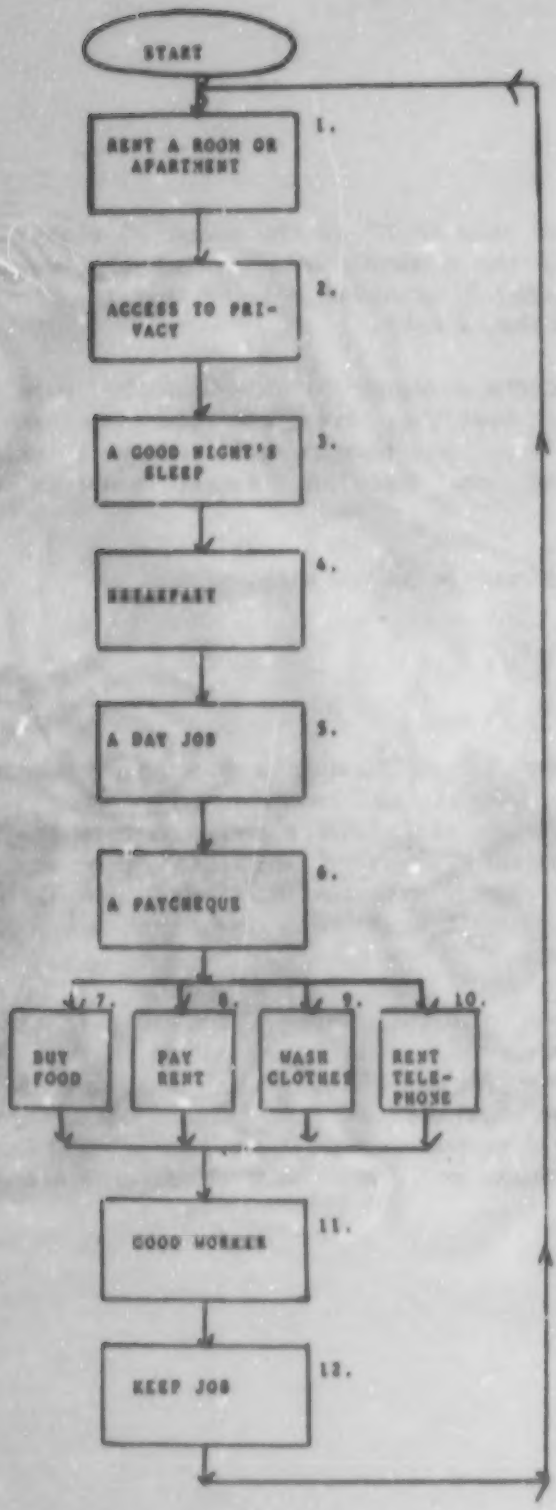
The homeless have many problems. They are often ill or mentally unstable. They often suffer from alcohol or drug abuse. They always live in poverty. They have often lost contact with their families.

The following is a flowchart of problems that could be solved if Frank found a home. Follow the arrows. Trace the steps through and write brief notes describing each step. Obviously, a home will not be the solution to everything. Which problems still remain?



1. Frank rents a room or a small apartment and now
2. has the right to some privacy.
3. He's not afraid and can get some rest,
4. make himself breakfast when he needs it, so that
5. he can get to work on time.
6. Frank is working so he collects a regular paycheque.
7. Now he can buy food,
8. pay his rent,
9. take his clothes to the laundromatte,
10. and have a telephone so that he is not isolated.
11. Everything leads towards Frank working well and
12. keeping his job so that
1. he can rent a room or small apartment.

TEACHER COPY



STUDENT COPY

Part III - Teacher Information

What exactly has been the goal of this unit? Is the issue of rights and responsibilities cut and dried? If the students believe that the homeless get what they deserve are they wrong? If students believe that the 'haves' must care for the 'have nots', are they right?

The four project choices give students a chance to show that they have, at least, been sensitized to the issue, that they have spent some time thinking about its controversies. The goal then, has been to get students thinking, to make them aware of some of our important social concerns and responsibilities.

Students can do as many of the four choices as you wish.

Part III - Student Information

1. An SRO or single room occupancy, is one room in a rooming or boarding house that a person can rent like an apartment, usually there is a bathroom on the hallway that people in different rooms share. Imagine that you were renting your bedroom. That would be an SRO except that it would need to be your bedroom, living-room and kitchen. You would not have much room or much luxury, but it would be a place that was yours, where you could have some privacy.

   SRO's are usually in run down old buildings, a building that was probably at one time an old house or a small hotel. When the building gets really dilapidated, the owner is forced by law to fix it up. It is more profitable to fix up an old building and turn it into office space than to improve rooms for poor people. Because of this, SRO's are disappearing. Where can the tenants go? They can't afford an apartment or a regular hotel.

You are in charge of an advertising campaign that is hoping both to save old SRO's and even build new ones. Design a poster to let other people know what is happening. Write a letter to be published in the newspaper to accompany your poster to inform the public about the plight of the SRO and the ever increasing number of homeless.

2. Design a comfortable SRO. It must have a bed or a day bed, room for a chair, a small fridge and a two burner stove or hot plate. It could have a small sink as well. Show where the bathroom would be and how many people would share it. Should there be a telephone in the hall? If so, write some guidelines for the use of that telephone. What do you feel would be a reasonable rent for this room once it was built? Decide who would maintain the common areas such as hallways and bathrooms. Draw up a simple plan and a maintenance schedule for the people who would live there.

3. Imagine that at this moment something has left you homeless and friendless. Whatever you are wearing and whatever you have in your pockets is all that you possess. You are standing at a busy intersection in a large city. Write an account of the next 24-48 hours of your life. Although what happens to you is important, make sure to concentrate on how you <u>feel</u> about what happens. For instance, if you approach someone to ask for something and they turn away, looking scared and nervous, how would you feel?

4. Write a short story that recounts either the history of a homeless person like Joe or Johnny or their future. Did a certain event change their lives and force them out onto the street? Will a certain event get them back on track in the future? This short story is to be published in a news magazine.

Gouvernement du Québec
Ministère
de l'Éducation

18-1541-04A
5880-552